



# RULE-MAKING ORDER

(RCW 34.05.360)

**CR-103** (7/22/01)

**Agency:** Department of Labor and Industries

- ☐ Permanent Rule  
☐ Emergency Rule  
☒ Expedited Rule Making

**(1) Date of adoption:** April 30, 2003

**(2) Purpose:** Chapter 296-52 WAC, Safety Standards for Possession and Handling of Explosives. On November 25, 2002, the Homeland Security Bill was signed, which restricts the availability of explosives to felons and other persons prohibited from possessing explosives, strengthens licensing and permitting requirements, and aids in the fight against terrorism. Chapter 296-52 WAC, Safety Standards for Possession and Handling of Explosives, must be updated to comply with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF).

**(3) Citation of existing rules affected by this order:**

Repealed: None  
Amended: WAC 296-52-61040, WAC 296-52-62005, WAC 296-52-63005, WAC 296-52-65005, WAC 296-52-66005  
Suspended: None

**(4) Statutory authority for adoption:** RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060

Other Authority:

## PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 03-05-073 on February 18, 2003.

Describe any changes other than editing from proposed to adopted version: Housekeeping and clarifying changes were made for ease of use and understanding.

## EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- ☐ (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- ☐ (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

**(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:**

☒ Yes ☐ No

If Yes, explain: On November 25, 2002, the Homeland Security Bill was signed, which restricts the availability of explosives to felons and other persons prohibited from possessing explosives, strengthens licensing and permitting requirements, and aids in the fight against terrorism. Chapter 296-52 WAC, Safety Standards for Possession and Handling of Explosives, must be updated to comply with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). As a result, the effective date for these rules will be May 24, 2003, which is less than the required thirty-one day time period normally followed, RCW 34.05.380. The department believes the earlier effective date is necessary to be at least as effective as the federal law.

**(6) Effective date of rule:**

### Permanent Rules

- ☐ 31 days after filing  
☒ Other (specify) 5/24/2003\*

\*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

### Emergency Rules

- ☐ Immediately  
☐ Later (specify) \_\_\_\_\_

CODE REVISER USE ONLY

Name (Type or Print)

Paul Trause

Signature

Title  
Director

Date  
April 30, 2003

**WSR # 03-10-037**

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	_____	Amended	<u>5</u>	Repealed	_____
<b>Federal rules or standards:</b>	New	_____	Amended	_____	Repealed	_____
<b>Recently enacted state statutes:</b>	New	_____	Amended	_____	Repealed	_____

**The number of sections adopted at the request of a nongovernmental entity:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in the agency's own initiative:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	_____	Amended	_____	Repealed	_____
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Pilot rule making:</b>	New	_____	Amended	_____	Repealed	_____
<b>Other alternative rule making:</b>	New	_____	Amended	<u>5</u>	Repealed	_____